

No. 38.

AMENDATORY.

JANUARY 20, 1807.

Read the first and second time, and committed to a committee of the whole House, on Friday next.

A Bill,

TO prohibit the importation, or bringing of slaves into the United States, or the territories thereof, after the thirty first day of December next.



1 Sec. 1. *Be it enacted by the senate and house of representatives of*
2 *the United States of America, in congress assembled,* That from and
3 after the thirty-first day of December next, it shall not be lawful to
4 import or bring into the United States, or the territories thereof,
5 any negro, mulatto, or person of colour, with intent to keep, sell, or
6 dispose of such negro, mulatto, or person of colour, as a slave, or
7 to be held to service or labour. And if any person shall, after the
8 said thirty-first day of December, import or bring, or cause to be
9 imported or brought, or aid and abet in importing or bringing into
10 the United States, or the territories thereof, any negro, mulatto, or
11 person of colour, contrary to the true intent and meaning of this act,

Sec. 2. And be it further enacted, That if, after the thirty-first day
of December next, any citizen of the United States, or the territo-
ries thereof, shall receive, or aid in receiving on board any ship or
vessel, any negro, mulatto, or person of colour, for the purpose of
being imported, or brought into the United States, or the territories
thereof, contrary to the true intent and meaning of this act, every
person so offending, and being thereof duly convicted, shall forfeit
and pay a sum not exceeding dollars, nor
less than dollars.

1 Sec. 3. *And be it further enacted,* That if any person or persons
2 shall, after the thirty-first day of December next, build, equip, fit,
3 load, or in anywise prepare, or shall engage or be concerned in pre-
4 paring, loading, fitting, equipping, or building any ship or vessel,
5 in any port or place within the jurisdictional limits of the govern-

6 ment of the United States, for the purpose of employing such ship
 7 or vessel in importing or bringing into the United States, or the ter-
 8 ritories thereof, any negro, mulatto, or person of colour, the importa-
 9 tion or bringing of whom, is by this act prohibited, every such per-
 10 son shall forfeit and pay twenty thousand dollars, and such ship or
 11 vessel shall, together with her cargo, tackle, apparel, and furniture,
 12 be forfeited.

1 Sec. 4. *And be it further enacted*, That if any ship or vessel,
 2 laden in whole or in part with persons, the importation or bringing
 3 of whom, is by this act prohibited, shall, after the thirty-first day
 4 of December next, be found in any river, bay, port, or harbour,
 5 within the United States, or the territories thereof, or any where
 6 on the high seas within the jurisdictional limits of the government
 7 of the United States, the owner and master of such ship or vessel
 8 shall each forfeit and pay fifty thousand dollars, and such ship or
 9 vessel, with her cargo, tackle, apparel, and furniture, shall be for-
 10 feited. And the President of the United States is hereby authorized
 11 to cause to be built, equipped, and employed, two additional revenue-
 12 cutters, and to employ such of the public armed vessels as he may
 13 judge proper, in giving to this act full and complete effect.

1 Sec. 5. *And be it further enacted*, That if any negro, mulatto, or
 2 person of colour, the importation or bringing of whom is by this act
 3 prohibited, shall be found within any state or territory of the United
 4 States, such negro, mulatto, or person of colour shall be forfeited ;
 5 and every person or persons, who shall be concerned in buying or
 6 selling such negro, mulatto, or person of colour, shall forfeit and

7 pay one thousand dollars for each negro, mulatto, or person of
8 colour, so bought or sold.

1 Sec. 6. *And be it further enacted*, That if any ship or vessel,
2 owned in whole or in part by a citizen or citizens of the United
3 States, or by any person or persons resident within the jurisdic-
4 tional limits of the government of the United States, shall, after the
5 thirty-first day of December next, be in any manner employed in
6 importing or bringing into the United States, or the territories there-
7 of, any person or persons, the importation or bringing of whom is
8 by this act prohibited, such ship or vessel shall be liable to seizure
9 wheresoever the same may be found ; and shall, together with her
10 cargo, tackle, apparel, and furniture, if brought into any state or
11 territory of the United States, be liable to trial, sentence, and con-
12 demnation, in any court having competent jurisdiction.

1 Sec. 7. *And be it further enacted*, That all such negros, mulat-
2 tos, or persons of colour, as may be forfeited by virtue of this act,
3 shall, at the expense of the United States, be conveyed to such place
4 or places in the United States, as the President thereof may direct,
5 and there be indentured as apprentices or servants, or otherwise
6 employed, as the President may judge most beneficial for them, and
7 most safe for the United States : *Provided*, That no such negro,
8 mulatto, or person of colour, shall be indentured or employed as
9 aforesaid, except in some state or territory, in which slavery is not
10 permitted, or in which provision is now made for a gradual abolition
11 of slavery ; nor in any state, in which such persons are not permitted
12 by law to be indentured or employed as aforesaid ; and if any such

13 negro, mulatto, or person of colour, when so indentured or employ-
 14 ed, shall be under the age of years, the term of such
 15 indenture or employment shall not extend beyond the age of twenty-
 16 one years ; and if above the age of years, the term shall
 17 not exceed years.

1 Sec. 8. *And be it further enacted*, That in all actions, suits, and
 2 informations, which shall be brought under the third, fourth, and
 3 fifth sections of this act, the burthen of proof shall lie on the claim-
 4 ant, or party sued or prosecuted, where probable cause is shewn
 5 for the seizure or prosecution, to be judged of by the court before
 6 whom the information or prosecution shall be tried ; and when any
 7 seizure shall be made, or suit or prosecution commenced as afore-
 8 said, and judgment shall be given in favor of the claimant or party
 9 sued or prosecuted, if it shall appear to the court, that there was
 10 reasonable cause for such seizure, or such suit or prosecution, the
 11 said court shall cause a proper certificate or entry to be made there-
 12 of, and in such case, the party claiming, sued, or prosecuted, shall
 13 not be entitled to costs, nor shall the person making the seizure, or
 14 instituting the suit or prosecution, be liable to any action or judg-
 15 ment on account thereof.

1 Sec. 9. *And be it further enacted*, That all penalties and for-
 2 feitures, arising under this act, may be sued for and recovered, and
 3 shall be distributed and accounted for in the manner prescribed by
 4 the act, entitled “ An act to regulate the collection of duties on im-
 5 ports and tonnage,” and that all the monies accruing to the United

6 States from penalties and forfeitures under this act, or so much
7 thereof as may be necessary, be, and the same hereby are appro-
8 priated to defray any expense which may be incurred in the exe-
9 cution thereof.

1 Sec. 10. *And be it further enacted*, That it shall be the duty of
2 the respective district attornies, marshals and their deputies, col-
3 lectors, and all other officers of the customs of the United States,
4 to inform against and prosecute any person or persons, whom they
5 may know, or have cause to suspect, to be guilty of any violation
6 of this act ; and if any of the said officers shall refuse or neglect to
7 perform the duty hereby enjoined, he shall, upon satisfactory proof
8 of such refusal or neglect, be removed from his said office.